

REMARKS

Status of the Claims

Claims 4-36 are canceled without prejudice to the subsequent filing of a continuation application. Claim 1 is amended. Claims 1-3 are now pending in this case. Claim 1 is the only pending independent claim. The cancellation of claims 4 and 6 renders the rejections thereof moot.

35 U.S.C. § 102(b)

Claims 1-3 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Drosdak (US Patent 5,469,652). Examiner asserts that Drosdak teaches a connector having a receptacle 7 including a chamber 9 bound by a substantially continuous sidewall defining an inner diameter that is substantially equal to the outer diameter of an end segment of line 6. Examiner also asserts that Drosdak shows extensions extending into the chamber at spaced intervals along the entire length of chamber, that the receptacle supports means 1 for engaging and supporting a lure and that the leader has a coupler 11-12.

The prosecution history is important for most patents, because it normally contains contemporaneous exchanges between the patent applicant and the Patent Office about what the claims mean. The prosecution history is thus a guide for teaching or clarifying what the claims mean and, more particularly, what the claim terms mean, because claim terms drive the meaning of claims. The meaning of claim terms must not only be given their structural meaning, but

their functional meaning, because although structure does not always dictate function, function normally always dictates structure. In this vein, an Examiner is not permitted to dissect a claim and remove the functional limitations before determining anticipation. Moreover, functional limitations in claims should be afforded patentable weight by the Examiner for determining anticipation.¹

In independent claim 1, applicant claims a receptacle including a chamber bound by a substantially continuous sidewall defining an inner diameter that is substantially equal to the outer diameter of an end segment of a line and extensions extending into the chamber for impinging against the end segment. Further claimed is a coupler attached to the receptacle that is capable of engaging and supporting a lure.

Although the Examiner asserts that the leader in Drosdak includes a coupler 11-12, Drosdak explains at col. 3, lines 10-17, that in FIG. 3 the threaded portion 4 is a separate sleeve 11 having external threads 12 and a central bore 13 to receive the butt end of a leader. The sleeve 11 is then permanently attached to the butt end of the leader. The threads 12 are then capable of attaching connector 7. Sleeve 11 is not a coupler that is capable of engaging and supporting a lure, and neither are threads 12. The coupler of applicant's claimed invention, which FIGS. 2, 3, 3A and 4 of applicant's patent application is one embodiment and

¹See, e.g., *In re Ludtke*, 441 F.2d 660, 169 USPQ 563, 566 (C.C.P.A. 1971); *In re Atwood*, 354 F.2d 365, 148 USPQ 203, 210 (C.C.P.A. 1966); *In re Bisley*, 197 F.2d 355, 94 USPQ 80, 83 (C.C.P.A. 1952).

FIGS. 5, 5A and 6 thereof being another, is not shown in Drosdak. Applicant acknowledges that the couplers depicted in FIGS. 2, 3, 3A and 4, and in FIGS. 5, 5A and 6, are not lines/leaders. Because sleeve 11 and threads 12 are not couplers that are capable of engaging and supporting a lure, Examiner's section 102(b) rejections are deemed overcome and should be withdrawn, which action is earnestly solicited.

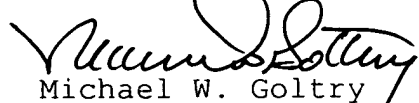
Applicant's claim terms mean something entirely different than what Drosdak provides. Applicant acknowledges that his presently claimed invention is not susceptible to an interpretation other than what applicant has provided in this response and in his specification, and this is in connection specifically with FIGS. 1-6 and the embodiments depicted therein and claimed. Applicant's specification limits the breadth of applicant's present claims, and provides important teachings concerning the claim terms and their meaning. Applicant's specification was drafted specifically for getting around devices like that of Drosdak, and applicant's claim terms are defined by his specification, and not by the prior art, namely, Drosdak.

In view of the foregoing, Applicant believes that all of the claims presently pending in this case are in condition for allowance, which action is earnestly solicited.

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Examiner's thorough and thoughtful consideration of this application is sincerely appreciated. Should there be any remaining issues, Examiner is cordially invited to telephone the undersigned for a speedy resolution.

Respectfully submitted,


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